

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**GARY LEE**

§  
§  
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§  
§

**NO. 1:10-CR-54**


**ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT**

After conducting a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11 with consent of all parties, United States Magistrate Judge Earl S. Hines reported his findings, conclusions and recommendations regarding defendant's plea of guilty to Count I of the Information in the above-numbered case. The magistrate judge accepted defendant's guilty plea, recommends that defendant be adjudged guilty of the offense to which he pleaded guilty, and recommends that the court defer acceptance or rejection of defendant's plea agreement until after reviewing the presentence report.

No party objects to the magistrate judge's findings and conclusions, and the court is of the opinion that they should be and are hereby **ADOPTED**. Further, the court **RATIFIES** the magistrate judge's acceptance of the guilty plea. Accordingly, it is **ORDERED**:

1. Defendant is adjudged **GUILTY** of the offense alleged in Count I of the Information, a violation of 18 U.S.C. § 4.
2. The court [ ] accepts defendant's plea agreement [ ☒ ] will defer a decision to accept or reject defendant's plea agreement until the court reviews the presentence report.

**SIGNED** this the 24 day of **May, 2010**.

  
Thad Heartfield  
United States District Judge